

REMARKS

Claims 1-45 are pending in this application.

In the outstanding Official Action the examiner has rejected claims 8 and 9 under 35 USC 112 as being indefinite, stating that the mouse wheel limitation is not clear because of “lack of description in the claim language”.

By this reply, claim 8 is amended to recite that the mouse wheel is “rotatable”, and that “rotation” of the wheel will “cause scrolling up or down on the display”. In this regard, the Examiner is also referred to, for example, paragraph 61 in Applicant’s specification, wherein the structure of the mouse is said to be similar to the well know computer mouse wheel which “is commonly incorporated into a conventional computer mouse to allow a user to easily scroll up or down on the display or through a menu illustrated on the display”. It is believed that the above noted amendment to claim 8, in conjunction with paragraph 61 of the specification, should be sufficient to overcome this ground of rejection.

In the outstanding Official Action the examiner has rejected claims 1-3, 18-20, 32-35 and 45 under 35 USC 102(e) as anticipated by the “VR Gun System” as described by “vrimmersions.com”, as evidenced by the “VR Gun System Specifications” archived on the Web June 23, 2006. 35 USC 103(a) rejections are also made which rely on the examiners understanding of the teachings of the “VR Gun System” reference.

Upon review of the VR Gun System and its Specifications, it is apparent that the “System Interface” of the “Control Box” requires a “keyboard and a mouse”.

In conventional prior art First Person Shooter (FPS) controllers, the player typically moves through space using the combination of a mouse for control of the Point Of View (POV) of the user in the game space, and a keyboard for control of positional movement of the user in

the game space. In the VR Gun controller system, it is apparent that the tilt of the gun controller is providing the information about the users POV in the game space, but it is NOT apparent, or even hinted at, what is providing the information about the users positional movement in the game space!

Note that in almost all of the pictures in the VR Gun citation which show a user actually operating the VR Gun System, the user is shown holding the VR Gun with only one hand, while it is NOT SHOWN what the fingers of his other hand is doing. As Applicant will explain, in the VR Gun System, at least the keyboard is used to “cause movement of the position of user through the virtual game space”.

By this amendment, each of Applicant’s independent claims has been amended to recite a housing for the video game controller, and in which housing, BOTH of the coordinate control unit is located, which is used to generate the users POV information in the video game virtual environment, and the game play control unit is located, which is used to generate information about the changes in the users position in the video game virtual environment. As noted above, in the VR Gun System, only the control unit for generating the POV information is located in the gun shaped controller housing, but the control unit that generates information about changes in the users position in the video game virtual environment, is NOT located in the gun shaped controller housing.

Upon further study the VR Gun System and its Specifications, it is apparent that the gun does provide “point of view” information to the system based on vertical and a horizontal tilt of the gun, however, the switches on the gun are said to be:

- Trigger. This control is obviously the “shoot” button and does not generate information about changes in the users position in the video game virtual environment.
- Thumb trigger. This control is labeled in the photograph, and appears to be a two-position switch labeled Manual/AutoLoad. Thus, this trigger does not generate information about changes in the users position in the video game virtual environment.

- 2 Momentary push buttons. These controls are also labeled in the photograph, one says “Start” and the other says something about “On/Off”. Thus, neither of these generate information about changes in the users position in the video game virtual environment.
- 1 - 2 Position Slide Switch. Since this is a 2 position slide switch, it can not be used to provide variable information, such as needed to generate information about changes in the users position in the video game virtual environment.
- ON/OFF Push Button. Obviously, this control turns the unit on or off, and therefore does not generate information about changes in the users position in the video game virtual environment..
- Tracking Disable/Enable push button. This button corresponds to Applicant’s “activation” button, in that is “enables and disable” the tracking system within the gun housing. Thus, this button also does not generate information about changes in the users position in the video game virtual environment.

Because Applicant’s game controller has both of the coordinate control unit and the game play control unit included within the housing of the game controller (as recited in independent Claims 1, 18 and 33), the control units are functionally linked together so as to seamlessly allow the player to move through a virtual environment. Both the angle of the controller, as well as the longitudinal and latitudinal switch input work together for the same goal of moving the player’s perspective through the virtual environment. Such an arrangement is not show by the VR Gun System, alone or in combination with any of the other cited references.

Thus, it is believed that the 35 USC 102(e) rejection of claims 1, 18 and 33 is overcome, as well as claims 2-3, 19-20 and 32, and 34-45 due at least to their dependency on one of independent claims 1, 18 and 33.

In the outstanding Official Action the examiner also rejected claims 4-7, 17, 21-23, 26, 36-39 under 35 USC 103(a) as unpatentable over the VR Gun System” in view of Woolston (USP 6,902,482).

The examiner states that although the VR Gun System does not show use of a “gyroscope...”, the controller of Woolston uses a gyroscope.

It is believed that this ground of rejection has been overcome by the amendment to each of the independent claims in this application to recite that Applicant’s game controller has both of the coordinate control unit (to generate the users POV information in the video game virtual environment,) and the game play control unit (to generate information about the changes in the users position in the video game virtual environment) included within the housing of the game controller. As noted above, his feature is NOT shown or suggested by the VR reference, and upon review of the Woolston reference, it is believed to also not be shown.

In the outstanding Official Action the examiner also rejected claims 8,9, 24,25, 40-42 under 35 USC 103(a) as unpatentable over the VR Gun System” in view of Rothchild (USP 2002/0171625).

The examiner states that although the VR Gun System does not show use of a “mouse wheel...”, the controller of Rothchild uses a mouse wheel.

It is believed that this ground of rejection has also been overcome by the above-noted amendment to each of the independent claims in this application to recite that Applicant’s game controller has both of the coordinate control unit and the game play control unit included within the housing of the game controller. As noted above, his feature is NOT shown or suggested by the VR reference, and upon review of the Rothchild reference, it is believed to also not be shown.

In the outstanding Official Action the examiner also rejected claims 10-14, 16, 27, 28, 31, 43 and 44 under 35 USC 103(a) as unpatentable over the VR Gun System” reference in view of the “Custom VR Systems” reference, and further in view of Burnett (USP 6,931,775).

The examiner states that although the VR Gun System reference does not show use of switches for game play actions, such as “running, crouching and jumping”, the “Custom VR Systems’ reference does show such switches. Additionally, Burnett is cited for showing the

mounting on a gun of a controller having switches for remotely controlling the direction of movement of a remote controlled vehicle.

Firstly, it is noted that the showing of switches for game play actions, such as “running, crouching and jumping”, as shown by the “Custom VR Systems” reference, does show generation of information representative of at least changes in latitudinal and longitudinal position of the user in the video game virtual environment. Clearly, indication of a change from running to jumping is a change in a type of a type of action which the user may make in the virtual environment, but it is not representative of changes in latitudinal and longitudinal position of the user in the video game virtual environment.

The Examiner is correct that the Burnett reference does disclose use of a “directional controller” on a gun, and as such, the combination shown by Burnett at first glance may appear particularly relevant. However, the type of directional control provided by the Burnett controller is of a “remote control” type for a “vehicle”, and operates, for example, like a convention remote control unit for a model airplane. As described in more detail in the Burnett reference, the gun is provided to be used by the user primarily as a gun, and secondarily as a convenient mounting place for a vehicle remote control unit, so that the user/soldier can look at the vehicle he is remotely controlling, while also having his gun directed in front of him in case of enemy attack. Note, the directional controller is NOT providing information representative of changes in latitudinal and longitudinal position of the user, but of a vehicle. Additionally, such directional control is NOT in a video game virtual environment, but in a real environment. Accordingly, Burnett is not concerned with the problem of providing changes in a user’s movement in a virtual environment, let alone doing so in conjunction with changes in the POV of the user while in the virtual environment. If one were to try to combine the direction controller of Burnett with the VR Gun controller, there would be no way to combine or use in the virtual environment the “real world” directional information developed by Burnett. Also, it is noted that Burnett does not show or suggest generating any POV information of the user, let alone such information in a virtual environment. Accordingly, the problem and solutions being provided by Burnett are not even combinable with the video game controllers of the type shown by the VR references.

Thus, it is believed that this ground of rejection has also been overcome by the above-noted amendment to each of the independent claims in this application to recite that Applicant's game controller has both of the coordinate control unit and the game play control unit included within the housing of the video game controller.

In view of the above remarks and remarks, it is believed that amended claims 1-45 are now allowable, and reconsideration and an indication of allowance of these claims is respectfully requested.

The above is believed to be a sufficient and complete reply to the outstanding Office Action. If any issues remain, the office is asked to contact the Attorney noted below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Lawrence C. Edelman', written in black ink.

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